

**04-1414     UNITED STATES V. GRUBBS**

**DECISION BELOW:     377 F.3d 1072 (9<sup>th</sup> Cir. 2004)**

**LOWER COURT CASE NUMBER:     03-10311**

**QUESTION PRESENTED**

Whether the Fourth Amendment requires suppression of evidence when officers conduct a search under an anticipatory warrant *after* the warrant's triggering condition is satisfied, but the triggering condition is not set forth either in the warrant itself or in an affidavit that is both incorporated into the warrant and shown to the person whose property is being searched.

Cert. Granted 9/27/05